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UNITED STATES.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

NEW JERSEY.

WORKSHOPS AND FACTORIES—VENTILATION OF—LAWS OF 1912, CHAPTER 5, APPROVED FEBRUARY 26, 1912, AMENDING AN ACT APPROVED MARCH 24, 1904.

Section 20 of the act of which this act is amendatory be, and the same hereby is, amended so that it shall read as follows:

20. The owner, agent, or lessee of a place coming under the provisions of this act shall provide in each workroom thereof proper and sufficient means of ventilation, and shall maintain proper and sufficient ventilation; if excessive heat be created or if steam, gases, vapors, dust, or other impurities that may be injurious to health be generated in the course of the manufacturing process carried on therein, the room shall be ventilated in such a manner as to render them harmless, so far as is practicable; in case of failure, the commissioner of labor shall order such ventilation to be provided. Such owner, agent, or lessee shall provide such ventilation within 20 days after the service upon him of such order, and in case of failure shall be liable to a penalty of \$10 for each day after the expiration of such 20 days, to be recovered by the commissioner of labor as hereinafter provided. If, in a place coming under the provisions of this act, glazing or polishing on a wheel or any process is carried on by which dust or any gas, vapors, or other impurity is generated in such a manner as to be inhaled by the employees to an injurious extent, and it appears to the commissioner of labor that such inhalation could be to a great extent prevented by a fan or other mechanical means, the commissioner of labor may order the owner, agent, or lessee of such place to provide a fan or other mechanical means of a proper construction for preventing such inhalation within 20 days after the service upon him of such order in writing, and such owner, agent, or lessee shall provide such fan or other mechanical means as stated in said order within the time therein stated, and in case of failure so to do he shall be liable to a fine of \$10 for each day after the expiration of the time given by such order to make the change.

SHELLFISH—PROTECTION OF FROM CONTAMINATION DANGEROUS TO HEALTH—LAWS OF 1912, CHAPTER 24, APPROVED FEBRUARY 29, 1912.

1. It shall be the duty of the Board of Health of the State of New Jersey to inspect, or cause to be inspected, as often as said board may deem necessary, the various oyster and clam beds and other places within the jurisdiction of or forming a part of the State of New Jersey from which oysters, clams, or other shellfish are taken to be distributed or sold for use as food, for the purpose of ascertaining the sanitary conditions of such oyster and clam beds and other places, and the fitness of the oysters, clams, or other shellfish in such places, or which are taken therefrom, for use as food.

2. If the State board of health discovers that any oyster or clam bed, or other place from which oysters, clams, or other shellfish are or may be taken for use as food, is subject to pollution, or to any other condition which may render the oysters, clams, or other shellfish in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said board to immediately condemn such oyster or clam bed or other place, and to prohibit the taking of oysters, clams, or other shellfish from such places for distribution or sale as food, and also to prohibit the sale, distribution, offering for sale, or having in possession with intent to distribute or sell any such oysters, clams, or other shellfish.

3. For the purpose of this act, the distribution, sale, offering for sale, or having in possession with intent to distribute or sell any oysters, clams, or other shellfish shall be prima facie evidence that such oysters, clams, or other shellfish were intended for use as food.

4. No excremental or other polluting matter of any kind or character whatever shall be discharged into or placed in the waters, or placed or suffered to remain upon the banks of any stream or tributary thereof or body of water in which shellfish grow, or are or may be placed: *Provided, however*, That nothing in this section shall apply to the discharge of sewage or drainage into such stream, tributary, or body of water by municipalities of this State.

5. The State board of health shall have power to adopt, promulgate, and enforce such rules and regulations as shall promote the purposes of this act, and they shall also have power to make such specific orders regarding the growing and handling of shellfish and the disposal of polluting matter which may affect the purity of shellfish as they may deem necessary to enforce the provisions of this act.

6. The members and employees of the State board of health shall have free access at all times to all oyster and clam beds, places of business, and all other places where oysters, clams, or other shellfish are grown, kept, stored, had in possession with intent to distribute or sell, or sold, and also to all streams, tributaries thereof and lands adjacent thereto, the waters draining from which may come in contact with clams, oysters, or other shellfish, and shall have power to make such inspections of such places and to take such samples of oysters, clams, other shellfish or other substances as they may deem necessary to carry out the purposes of this act.

7. No person shall obstruct or in anywise interfere with any chemist, bacteriologist, inspector, or employee of the State board of health in the performance of any duty under this act.

8. Any person or corporation who shall violate any of the provisions of this act or any of the rules and regulations made under authority contained in this act, or who shall disobey any order made by the State board of health under authority contained in section 5 of this act, or who shall gather with intent to distribute or sell for use as food any oysters, clams, or other shellfish from any oyster or clam bed or other place which has been condemned by the State board of health in accordance with the provisions of section 2 of this act, or who shall distribute, sell, offer, or expose for sale or have in his possession for the purpose of sale any oysters, clams, or other shellfish taken from any oyster or clam bed or other place which has been condemned by said board, shall be liable to a penalty of \$100, such penalty to be recovered in an action of debt by and in the name of the board of health of the State of New Jersey as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein, if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

9. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment, he shall take the body of the said defendant and deliver him to the keeper of the common jail of said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs. In case judgment shall be rendered against a body corporate execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

10. Whenever any person shall violate any of the provisions of this act, it shall be lawful for the Board of Health of the State of New Jersey, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the court of chancery in the name of the State, at the relation of said board, for an injunction to restrain such violation and for such other and further relief in the premises as the court of chancery shall deem proper, but the filing of such a bill, nor any of the proceedings thereon, shall not relieve any party of such proceedings from the penalty prescribed by this act for such violation.

11. The sum of \$7,500 is hereby appropriated for the use of the State board of health in enforcing the provisions of this act, and said board is authorized to employ such chemists, bacteriologists, and inspectors, and to purchase such apparatus and supplies, including a suitable boat, as they may deem necessary: *Provided*, That no part of the sum hereby appropriated shall become available until the amount thereof has been included in either a supplemental or regular appropriation bill.

12. An act entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (Revision of 1907),' approved March 20, 1907," approved April 15, 1911, and an act entitled "A further supplement to an act entitled 'An act for the preservation of clams and oysters,' approved April 14, 1846," approved April 21, 1909, be, and the same are hereby, repealed.

13. This act shall take effect immediately.

FOODSTUFFS—SANITARY REGULATION OF THE MANUFACTURE OF—LAWS OF 1912,
CHAPTER 127, APPROVED MARCH 21, 1912.

1. All buildings or rooms where biscuits, pies, bread, crackers, cakes, macaroni and other foodstuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale, shall be drained and plumbed in a manner that will conduce to the proper and healthful sanitary condition thereof and shall have air shafts, windows, or ventilating pipes sufficient to insure ventilation and sufficient light to prevent any place being operated entirely by artificial light, and all doors, windows, and other openings shall be thoroughly screened so as to prevent the entrance of flies or other insects, between the 1st day of April and the 31st day of October. Expectoration is prohibited within any building or room used for the aforesaid purposes, except into a proper receptacle provided for that purpose. The smoking, snuffing, or chewing of tobacco in any building or room used for aforesaid purposes is prohibited. Plain notices shall be posted in every such place, forbidding any person to use tobacco or spit on the floor of such place. No cellar, basement, or place which is below the street level shall hereafter be used or occupied as a place in which to manufacture or make for the purpose of sale any of the above-mentioned articles, except where the same was used for such purposes on the 4th day of July, 1905: *Provided, however*, That this act shall not prevent the use, for the manufacture of candy, ice cream, or frozen sweets only, of any cellar or basement which shall, after due inspection and examination by representatives of the department of labor, be certified to by the commissioner of labor as sanitary in all respects and proper to be used for such purposes, which certificate may be revoked at any time.

2. Every room used for the purpose of making or manufacturing, for the purpose of sale, any of the articles mentioned in section 1 of this act shall be at least 8 feet in height: *Provided, however*, That this requirement shall not apply to rooms used for the making or manufacturing, for the purpose of sale, of nothing but candy, ice cream, or frozen sweets, but such rooms used for the making or manufacturing for the purpose of sale, of candy, ice cream, or frozen fruits, shall in all cases be at least 7 feet in height, except that any room now used for the making, for the purpose of sale, of nothing but candy, ice cream, or frozen sweets need not be altered to conform with this provision unless so ordered by the commissioner of labor to improve lighting, ventilation, or drainage facilities. Every room used for the purpose of making or manufacturing, for the purpose of sale, any of the articles mentioned in section 1 shall have, if required by the commissioner of labor, an impermeable floor constructed of wood, properly saturated with linseed oil, or of cement, or other suitable material; the side walls of every such room shall be well plastered, wainscoted, or ceiled with metal or lumber, and all interior woodwork in such room shall be kept well oiled or painted with oil paint, and shall be kept in a clean and sanitary condition at all times. The furniture and utensils in all such rooms shall be so arranged that such furniture, utensils, and floor may at all times be kept in a proper and healthful, sanitary, and clean condition. The commissioner of labor shall have the power to order that any such room or rooms shall be cleaned in such manner as he shall direct; no domestic animal except cats shall be allowed to remain in any such room. Every such room or rooms shall be kept clean at all times and free from rats, mice, or vermin, and from all matter of an infectious and contagious disease. No person who has consumption, scrofula, or any venereal disease or any contagious or infectious disease or any communicable or loathsome skin disease shall work in any such room or rooms, and no owner, manager, or person in charge of any such room or rooms shall knowingly require or suffer such a person to be employed in such room or rooms, nor shall any such room or rooms communicate with or have doors communicating directly with a stable or stable yard.